

REMARKS

This is in response to the Office Action dated February 4, 2004.

The Examiner raised certain objections to claims 1, 23, 27 and 30 re the phrase "and the like". These claims have been amended with the phrase "and the like" being deleted.

Objection was raised as to the dependency of claim 21 on claim 1. the Examiner correctly noted this error and claim 21 has been amended to be dependent on claim 20.

In addition, the specification is being amended at pages 7 and 19 to correct minor errors with "Arrows 15'-15'" at page 7 being changed to "Arrows 15'-15'" and "numeral 10'" (at page 19) being changed to "numeral 10'".

The Examiner rejected numerous claims under 102(b) as anticipated by Frederiksen alone. Other claims were rejected under 103(a) as being obvious in view of Frederikson in view of Felzer. Still other claims were rejected under 103(a) as being obvious in view of Frederiksen in view of Seitz.

Claims 9-11, 15, 16, 20-22, 24, 26, 28 and 29 were objected to as being dependent on a rejected base claim but would be allowable if rewritten in independent form. In this regard, claims 9, 15, 20, 22, 24, 26, 28 and 29 have been amended to substantially include the claim on which they were dependent. Dependent claim 16 is dependent on claim 15 which is now in independent form, while claim 21 is dependent on claim 20, which is now in independent form. Claims 10 and 11 have been maintained dependent on claims 4 and 5, respectively, since claims 4 and 5 are believed allowable for the reasons noted below.

The rejected claims 12, 14, 17-19, 23, 25, 27, 30 and 31 have been amended for

clarification and/or to correct matters of form while dependent claims 8 and 13 have not been amended.

Claims 33-50 have been newly added with claims 33-39 directed to different combinations of unique features for ramps providing aerial lift for recreational products. Newly added claims 40-50 are directed to unique features for forming modular assemblies primarily for a plurality of straight modules with dependent claim 43 and 49 adding an inclined module for forming a ramped system. It will be seen that the claims 33-50 include numbers combinations of unique features including the unique means for interconnecting the modules both horizontally and stacked, vertically.

Let us now review the references noted by the Examiner with Frederiksen being the primary reference and Seitz and Felzer being secondary references. It should be noted that in the following discussions the claims distinguish over the references as to one or more of the items noted.

A. Frederiksen (Primary Reference)

This reference (as well as the two secondary references) is in no way related to ramp systems for providing aerial lift for users of rideable wheeled recreational products. Here the ramps are wheelchairs primarily to facilitate movement over door thresholds (see page 1, line 5). The ramp is constructed of a "ramp element 2" and "a tile element 4"; both are of very minimal height to simply facilitate movement of a wheelchair over a door threshold. In this regard the height is noted as between 10-50 mm or 0.4-2.0 inches. The ramp structure of the present invention has modules (inclined and straight) of a substantially greater height i.e. around 12 inches, which in a stacked condition would be around 24 inches. Clearly the Frederickson structure would

not provide a desired aerial lift.

In Frederiksen the ramp 2 and tile element 4 are connected together end-to-end or side-by-side by separate coupling pieces 14 in cut-outs 12. In the present invention the end-to-end and side-by-side connections are made by integrally formed T-shaped projections and T-shaped grooves which can be selectively interconnected. This facilitates assembly and disassembly and mobility of the system.

For stacking, Frederiksen uses dowels 18, 18' in lined up holes 16. Here the dowels are inserted with a "snap-lock" and can be removed by "drilling out" through the "head parts 20". (See pg. 7, lines 18-26). Also the stacked members then could be separated by being broken up. Alternatively the stacked members can be connected by removable screw connections instead of dowels. Clearly these structures do not facilitate the relatively direct and convenient way of assembly and disassembly, without damage, of the modules as taught in the present invention.

On another point, it is clear that Frederiksen's ramp 2 are not inclined substantially over the full engageable length. While dimensions were not found in the specification a rough measurement of the drawings would show that the flat portion at the end of the top of the ramp 2 would extend for around 20% of the overall length of the upper surface. When stacked, as in Fig. 3, the lower end of the ramp 2 would extend partially over the flat portion. But this would still leave around 10% of the overall length being flat. In addition the inclined surfaces of the two ramps 2 when stacked would be offset from each other with a parallel angular gap. Claim 1 and other claims, as amended to define the upper support surface as being "inclined for substantially its full engageable length", clearly distinguishes over this type of structure.

In addition to the above, the plurality of through holes 16 would appear to provide a surface which could be irregular and potentially subject to wear if recreational products where applied.

Clearly then the Frederiksen reference is inapplicable to applicants' ramp assemblies for rideable wheeled recreational products and it is equally inapplicable to modular systems as noted by new claims 33-39.

Let us now look to each of the secondary references.

B. Felzer

The Felzer patent was cited as showing a hollow ramp structure with a plurality of channels. This was cited by the Examiner in response to those claims which include reference to internal ribs.

First of all, Felzer is directed to an entirely different ramp structure for an entirely different purpose from the present invention as well as from Frederiksen.

Here the ramp is for a "Vehicle Lift" to provide a "drive-on type lift" for vehicles such as "an automobile or truck". Here the upper "inclined surface" is provided with a top wall 21 having a deep "wheel-receiving recess 21b". At the same time the hollow structure facilitates its use as a tool box.

At the same time the "spaced channels 30" provide deep indents in the inclined surface of the upper top wall 21.

Thus the top wall 21 is not uniform and would not be applicable for aerial lift for recreational products.

In addition, Felzer does not teach or suggest a modular construction including a straight module.

Clearly then Felzer is not related to the present invention nor is it related to the primary reference Frederiksen.

C. Seitz

This patent is directed to a ramp assembly for wheelchairs or wheeled carts. Here all of the ramps are of a different size and adapted to be connected end-to-front to gradually increase the height.

Here also the separate ramp modules are connected together by threaded bolts 56 in couplings 51-55, etc. and screws 58 through upper surfaces. This is totally different than applicants' structure as well as that of Frederiksen.

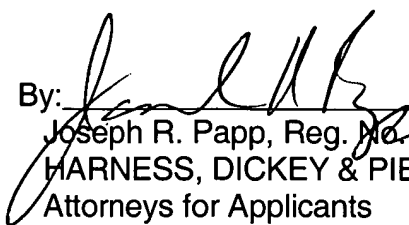
However, the Seitz patent was cited primarily as disclosing surface grooves 29 to provide anti-skid characteristics. In this regard it is acknowledged that it is known in the art to provide suitable non-skid surfaces and also to make components from various forms of plastic. However, it is submitted that claims 7 and 8 add these features to unique combinations of elements in claim 1.

In view of the above it is submitted that all of the claims 1-50 clearly define over all of the references of record and thus this case should now be in condition for allowance.

If the Examiner has any further questions about the allowability of all of the claims or any other matters, the Examiner is respectfully requested to call counsel for applicants prior to issuance of any final rejection in order to expedite further proceeding of this application.

The Examiner's attention is drawn to the fact that applicant claims small entity status not previously claimed.

Respectfully submitted,

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